

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested. Claims 1-2, 4, and 6-7 are pending, Claims 1-2 and 4 having been amended, Claims 3 and 5 having been canceled without prejudice or disclaimer, and Claims 6 and 7 having been added by way of the present amendment. Support for the amendments is found in the present specification, for example Figure 5 and the discussion thereof, as well as in the original pending claims and therefore no new matter is added. Claim 5 has been canceled and rewritten as new Claim 7 in conventional U.S. claim drafting format.

In the outstanding Office Action Claims 1-5 were provisionally rejected on nonstatutory obviousness-type double patenting grounds over Claims 1-3 of copending Application No. 10/772,262; Claims 1, 2 and 5 were rejected as being unpatentable over Fleck et al. (U.S. Patent No. 6,977,811, hereinafter Fleck); and Claims 3 and 4 were rejected as being unpatentable over Fleck in view of Hitoshi (JP 08-076916).

As a preliminary matter it is believed that the rejection of Claims 3 and 4 is moot, as the language regarding the hinge pin is no longer present in the claims. Therefore the basis of the rejection will concentrate on comparison of the pending claims with Fleck.

In reply, it is believed that in light of the present amendment, the provisional double patenting rejection has been overcome. If the Examiner disagrees, then Applicants request that the obviousness-type double patenting rejection be held in abeyance until either the present application, or copending application Serial No. 10/775,155, is in condition for formal allowance.

Amended Claim 1 is directed to an information processing apparatus having a display, and a keyboard having a plurality of operation keys. A pointing device (non-limiting support for which is found in element 16 in the figures) is configured to control a pointer appearing

on the display. This pointing device is positioned between the display and the keyboard. A first function button (non-limiting support for which is found in element 20 in the figures) and a second function button (non-limiting support for which is found in element 21 in the figures) that control an object is chosen by the pointer appearing on the display. A third function button (nonlimiting support for which is found in element 22 of the figures) allows a screen displayed on the display to be scrolled and is positioned between the display and the keyboard. The pointing device is positioned on an opposite side of the apparatus to the first function button and the second function button and the third function button.

Fleck, on the other hand, shows in Figure 3 thereof, a mouse assembly 112 having right arrow button, a left arrow button and up and down arrow buttons (302, 304, 306, and 308 respectively). A mouse button 300 is located in the center of the respective arrow buttons. On an opposite side of the apparatus, left and right mouse buttons 310 and 312 are, respectively, disposed. The left and right mouse buttons may be operated with the left thumb, while the right thumb may navigate the mouse cursor using the mouse assembly 112 (column 6, lines 8-17).

Comparing amended Claim 1 with Fleck, amended Claim 1 requires a third function button that allows a screen displayed on the display to be scrolled and to be positioned between the display and the keyboard. The first function button, the second function button and the third function button are all positioned at an opposite side of the apparatus as the pointing device. However, Fleck shows only two buttons 310 and 312 on one side of the apparatus; the pointing device 300 is disposed on the opposite side of the pointing device. Moreover, Fleck simply does not have the third button as claimed.

Consequently, it is respectfully submitted that Fleck does not disclose, teach or suggest the presence of all the features in amended Claim 1, and therefore does not render

obvious the invention defined by Claim 1. Claims 2 and 4 and new Claim 6 depend from Claim 1 and therefore are believed to patentably define over Fleck.

New Claim 7, although a method claim, contains similar features to that discussed above with regard to amended Claim 1. It is believed that these features are also absent from Fleck and therefore amended Claim 7 also is believed to patentably define over Fleck.

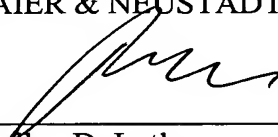
Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 1-2, 4 and 6-7, as amended, patentably defines over the asserted prior art. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully submitted,

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